IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 18066 of 2007(A)

PETITIONERS:
----

1. KERALA GOVERNMENT HOMOEO MEDICAL OFFICERS' ASSOCIATION, REPRESENTED BY ITS PRESIDENT, DR,K.M.UVAISE, CHIEF MEDICAL OFFICER, GOVERNMENT HOMOEO HOSPITAL, KOYILANDY, KOZHIKODE.

2. DR.B.SOMARAJAN, CHIEF MEDICAL OFFICER (HG), GOVERNMENT HOMOEO HOSPITAL, KAYAMKULAM.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:
----

1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OFL HOMOEOPATHY, DIRECTORATE OF HOMOEOPATHY, EAST FORT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 18066/2007 A

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE RELEVANT PAGES OF THE REPORT OF THE EIGHTH PAY COMMISSION.

EXT.P2. COPY OF THE RELEVANT PAGE OF THE GOVT. DT.25/3/2006 IN RESPECT OF HOMOEOPATHY DEPT.

EXT.P3. COPY OF THE ORDER GO DT. 17/3/2006 BY THE GOVT.

EXT.P4. COPY OF THE REPRESENTATION DT. 4/4/05 BY THE P1 TO THE R1.

True copy

tga

K.BALAKRISHNAN NAIR,J.

WP(C)NO.18066 OF 2007-A

Judgment

The first petitioner is an Association of Government Homoeo Medical Officers. The second petitioner is one of its members. They have approached this Court, praying inter alia, for a direction to the Government to consider and pass orders on Ext.P4 representation. Their grievance is that though the Pay Commission recommended that the Chief Medical Officers of hospitals, having 25 beds or more should be designated as Superintendents and the Government have accepted the recommendations of the Pay Commission in toto, when orders were issued, it was stipulated that the post of Superintendent will be sanctioned, only in those hospitals, where there are more than 25 beds. The petitioners submit, since most of the hospitals are having only 25 beds, the said order practically does not make any difference regarding the existing pattern of sanctioning one post of Superintendent where there are more than 30 beds. So, they have preferred Ext.P4 representation before the Government and thereafter, this Writ Petition is filed, praying for a direction to the Government to consider and pass orders on Ext.P4.

2. I heard the learned Government Pleader appearing for the respondents also. The 1st respondent is directed to consider and pass orders on Ext.P4 in accordance with law within four months from the date of receipt of a copy of this

Judgment after affording an opportunity of being heard to a representative of the first petitioner association.

The Writ Petition is disposed of as above.

26.07.2007 **K.BALAKRISHNAN NAIR,JUDGE**

sta